IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

CIVIL REVISION NO. 370-D OF 2001
(Old No. 18 of 2000)

Punjab National Bank ……Plff./Revisionist.

Vs.

Hari Prakash and others. ……Opp. Parties/Deftt.

Hon'ble Rajesh Tandon, J.

File has been transferred from Allahabad High Court. None appears.

By the impugned order the delay has been condoned in filing the application for restoration and the order dated 19.5.1997 passed ex parte has been restored. Since the restoration order has been passed, no interference u/s 115 of the Code of Civil Procedure can be made against such order. The interest of justice requires that the party should be heard before the order is passed. In see no illegality in the order impugned. The revision is dismissed.

Liberty is given to move for recalling of the order, if the cause of action still survives.

Dt.27.8.2004 (Rajesh Tandon, J.)
P.B.